STATUTORY INSTRUMENTS

2025 No. 557

MINISTERS OF THE CROWN

The Transfer of Functions (Digital Government) Order 2025

Made - - - -	*6th May 2025*
Laid before Parliament	*13th May 2025*
Coming into force - -	*3rd June 2025*

At the Court at Buckingham Palace, the 6th day of May 2025

Present,

The King's Most Excellent Majesty in Council

His Majesty, in exercise of the powers conferred by sections 1 and 2 of the Ministers of the Crown Act 1975(**a**), is pleased, by and with the advice of His Privy Council, to order as follows:

Citation and commencement

1.—(1) This Order may be cited as the Transfer of Functions (Digital Government) Order 2025.

(2) This Order comes into force on 3rd June 2025.

Interpretation

2. In this Order "instrument" includes Royal Charters, Royal Warrants, Orders in Council, Letters Patent, judgments, decrees, orders, rules, regulations, schemes, bye-laws, awards, licences, authorisations, consents, approvals, contracts and other agreements, memoranda and articles of association, certificates, deeds and other documents.

Transfer of functions to the Secretary of State

3. The functions of the Minister for the Cabinet Office under the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018(**b**) are transferred to the Secretary of State.

(**a**) 1975 c. 26. Section 1 was amended by section 20 of the Constitutional Reform Act 2005 (c. 4).
(**b**) S.I. 2018/952, amended by S.I. 2022/1097.

Functions to be exercisable concurrently with the Secretary of State

4. The functions of the Minister for the Cabinet Office under sections 44(4)(d), 48(11)(d) and 56(12)(d) of the Digital Economy Act 2017(**a**) are to be exercisable concurrently with the Secretary of State.

Supplementary provisions in relation to articles 3 and 4

5.—(1) This article applies to a function which—

(a) is transferred by article 3, or

(b) is directed by article 4 to be exercisable concurrently with the Secretary of State.

(2) Anything (including legal proceedings) which, at the coming into force of this Order, is in the process of being done by or in relation to the Minister for the Cabinet Office, so far as it relates to a function to which this article applies, may be continued by or in relation to the Secretary of State.

(3) Anything done (or having effect as if done) by or in relation to the Minister for the Cabinet Office in connection with a function to which this article applies has effect, so far as necessary for continuing its effect after the coming into force of this Order, as if done by or in relation to the Secretary of State.

(4) Any enactment or instrument passed or made before the coming into force of this Order has effect, so far as is necessary for the purposes of or in consequence of article 3 or 4, as if references to (and references which are to be read as references to) the Minister for the Cabinet Office were or included references to the Secretary of State.

(5) Documents or forms printed for use in connection with a function to which this article applies may be used in connection with that function even though they contain, or are to be read as containing, references to the Minister for the Cabinet Office.

(6) For the purposes of the use of any such documents or forms after the coming into force of this Order in connection with the exercise of a function to which this article applies by the Secretary of State, those references are to be read as references to the Secretary of State.

(7) In paragraphs (2) to (6) references to the Minister for the Cabinet Office include references to the Cabinet Office or an officer in that Office; and references to the Secretary of State include references to the department or an officer of the Secretary of State accordingly.

Transfer of property, rights and liabilities to the Secretary of State for Science, Innovation and Technology

6.—(1) There are transferred to the Secretary of State for Science, Innovation and Technology all property, rights and liabilities to which the Minister for the Cabinet Office is entitled or subject at the coming into force of this Order in connection with—

(a) any digital function, or

(b) a function which is transferred by article 3.

(2) In this article "digital function" means a function relating to—

(a) the Government Digital Service,

(b) the Central Digital and Data Office, or

(c) the Incubator for Artificial Intelligence,

(**a**) 2017 c. 30. Section 44(4)(d) was amended by S.I. 2018/526 and S.I. 2020/940.

which was entrusted to the Minister for the Cabinet Office immediately before 23rd July 2024 and has before the making of this Order been entrusted to the Secretary of State for Science, Innovation and Technology.

Supplementary provisions in relation to digital functions etc

7.—(1) Anything (including legal proceedings) which, at the coming into force of this Order, is in the process of being done by or in relation to the Minister for the Cabinet Office, so far as it relates to a digital function or anything transferred by article 6, may be continued by or in relation to the Secretary of State for Science, Innovation and Technology.

(2) Anything done (or having effect as if done) by or in relation to the Minister for the Cabinet Office in connection with a digital function or anything transferred by article 6 has effect, so far as necessary for continuing its effect after the coming into force of this Order, as if done by or in relation to the Secretary of State for Science, Innovation and Technology.

(3) Any enactment or instrument passed or made before the coming into force of this Order has effect, so far as is necessary for the purposes of or in consequence of—

(a) the entrusting to the Secretary of State for Science, Innovation and Technology of any digital function, or

(b) the transfer of anything by article 6,

as if references to (and references which are to be read as references to) the Minister for the Cabinet Office were or included references to the Secretary of State for Science, Innovation and Technology.

(4) Documents or forms printed for use in connection with a digital function may be used in connection with that function even though they contain, or are to be read as containing, references to the Minister for the Cabinet Office.

(5) For the purposes of the use of any such documents or forms after the coming into force of this Order, those references are to be read as references to the Secretary of State for Science, Innovation and Technology.

(6) In paragraphs (1) to (5) references to the Minister for the Cabinet Office include references to the Cabinet Office or an officer in that Office; and references to the Secretary of State for Science, Innovation and Technology include references to the department or an officer of that Secretary of State accordingly.

(7) In this article "digital function" has the same meaning as in article 6.

Validity of things done before coming into force of Order

8.—(1) This Order does not affect the validity of anything done (or having effect as if done) by or in relation to the Minister for the Cabinet Office before the coming into force of this Order.

(2) In paragraph (1) the reference to the Minister for the Cabinet Office includes a reference to the Cabinet Office or an officer in that Office.

Consequential amendments

9.—(1) The Digital Economy Act 2017 is amended in accordance with paragraphs (2) to (4).

(2) In section 44(4)(d), for "the Minister for the Cabinet Office" substitute "the relevant Minister".

(3) In section 48(11)(d), for "the Minister for the Cabinet Office" substitute "the relevant Minister".

(4) In section 56(12)(d), for "the Minister for the Cabinet Office" substitute "the relevant Minister".

(5) The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 are amended in accordance with paragraphs (6) to (8).

(6) In regulation 3, in the definition of "model accessibility statement", for "Minister for the Cabinet Office" substitute "Secretary of State".

(7) In regulation 10, in each of paragraphs (1), (2) and (5), for "Minister for the Cabinet Office" substitute "Secretary of State".

(8) In regulation 14, in each of paragraphs (1), (2) (in both places), (5) (in both places), (6), (9), (10) (in both places), (11) (in both places) and (12) (in both places), for "Minister for the Cabinet Office" substitute "Secretary of State".

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order in Council)

This Order in Council is made under sections 1 and 2 of the Ministers of the Crown Act 1975. It makes provision for the transfer of functions under the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 ("the 2018 Regulations") from the Minister for the Cabinet Office to the Secretary of State. It also makes provision for certain functions of the Minister for the Cabinet Office in Chapters 1, 3 and 4 of Part 5 of the Digital Economy Act 2017 to be exercised concurrently with the Secretary of State. The Order also makes provision for property, rights and liabilities in connection with certain digital functions, or in connection with the transferred functions in the 2018 Regulations, to be transferred from the Minister for the Cabinet Office to the Secretary of State for Science, Innovation and Technology. Finally it makes supplementary provision in relation to those various transfers.

Article 2 makes provision for the interpretation of the Order in Council.

Article 3 transfers the functions of the Minister for the Cabinet Office under the 2018 Regulations to the Secretary of State.

Article 4 provides for functions under sections 44(4)(d), 48(11)(d) and 56(1)(d) of the Digital Economy Act 2017 to be exercised by the Minister for the Cabinet Office concurrently with the Secretary of State.

Article 5 makes provision which is supplementary to Articles 3 and 4.

Article 6 transfers the property, rights and liabilities connected with the functions transferred by Article 3 as well as any digital function, as defined in the Article, to the Secretary of State for Science, Innovation and Technology.

Article 7 makes provision which is supplementary to the transfer of digital functions and to Article 6.

Article 8 makes provision preserving the validity of anything done by or in relation to the Minister for the Cabinet Office before the coming into force of this Order.

Article 9 makes consequential amendments to primary legislation.

Nothing in this Order alters the functions of the Welsh Ministers, the Scottish Ministers or the devolved authorities in Northern Ireland.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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